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FEB 24 2005

FACSIMILE TRANSMISSION

To:	USPTO Examiner Chamelli Das	From:	Philip J. McKay
Tel.:	571-272-3696	No. of pages:	5 (including this page)
Fax:	703-872-9306	Date:	February 24, 2005

Re: Applicant: Judith E. Schwabe
 Assignee: Sun Microsystems, Inc.

 Title: POPULATING BINARY COMPATIBLE RESOURCE-
 CONSTRAINED DEVICES WITH CONTENT VERIFIED USING API
 DEFINITIONS

 Serial No.: 09/661,582 Filing Date: September 14, 2000

 Examiner: Chamelli Das Group Art Unit: 2122

 Docket No.: P-4182

Enclosed herewith are:

1. Transmittal Form (1 page);
2. Fee Transmittal for FY 2005 (1 page);
3. Response to Examiner's Telephonic Request (1 page); and
4. Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application (1 page).

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 703-872-9306, on the date shown below.

 February 24, 2005
Mona Marshall Date of Signature

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PTO/SB/21 (09-04)

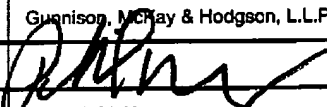
Approved for use through 07/31/2008. OMB 0651-0031

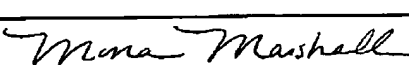
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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/661,582
	Filing Date	September 14, 2000
	First Named Inventor	Judith E. Schwabe
	Art Unit	2122
	Examiner Name	Chamell Das
	Attorney Docket Number	P-4182
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Examiner's Telephonic Request (1 page)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Gunnison, McKay & Hodgson, L.L.P.		
Signature			
Printed name	Philip J. McKay		
Date	February 24, 2005	Reg. No.	38,968

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Mona Marshall	Date	February 24, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	09/661,582
Filing Date	September 14, 2000
First Named Inventor	Judith E. Schwabe
Examiner Name	Chameli Das
Art Unit	2122
Attorney Docket No.	P-4182

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
- ☒ Deposit Account Deposit Account Number: 50-0553 Deposit Account Name: Gunnison, McKay & Hodgson
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues) _____

Each independent claim over 3 (including Reissues) _____

Multiple dependent claims _____

Small Entity Fee (\$)
50
200
360

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims

Fee (\$) **Fee Paid (\$)**

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____


4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer fee**Fees Paid (\$)**

130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 38,966	Telephone (831) 655-0880 x14
Name (Print/Type)	Philip J. McKay		Date February 24, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Judith E. Schwabe

Assignee: Sun Microsystems, Inc.

Title: POPULATING BINARY COMPATIBLE RESOURCE-CONSTRAINED
DEVICES WITH CONTENT VERIFIED USING API DEFINITIONS

Serial No.: 09/661,582

Filing Date: September 14, 2000

Examiner: Chameli Das

Group Art Unit: 2122

Docket No.: P-4182

Monterey, CA
February 24, 2005Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450RESPONSE TO EXAMINER'S TELEPHONIC REQUEST

Dear Sir:

In response to the Examiner's telephonic request of February 23, 2005, Applicant herewith submits a "Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection over a Pending Second Application" for the above-identified application. This Terminal Disclaimer is being submitted because the previously filed Terminal Disclaimer is defective.


If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306, on the date shown below.


Mona MarshallFebruary 24, 2005
Date of Signature

Respectfully submitted,


Philip J. McKay
Attorney for Applicant
Reg. No. 38,966
Tel.: (831) 655-0880

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